Previous references.

1901—02 Separate Revenue

SR File No. 83601-02

Serial Nos. 1—9

Later references.

83746-02

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-9

Majs Part B. for September 01

SUBJECT

Amendments to the Foreign Liquor Rules

Contents-

81 From the West End Hotel, Bangalore
to 1447/Ex 02 2nd July 1901
Brings to notice the high rate of License which he is called upon to pay and solicits orders on the subject-

82 From MacDonnell & Co Madras
to 1572/Ex 02 31st July 1901
Enquires whether the D.C. can be instructed to exempt from the operation of the new Rules, stipulating that no foreign liquors can be sold under the new Licences to be granted [redacted] than 15 under proof Certain brands of

E 58
GPB 4,000—1-01

Sl. 3. From Meppers Wilson & Co Madras

No: 1536

Ep 43

2 8 01

States in air foreign Spirits below
under proof will be allowed to be sold here
of the Licensee ~~to the excise Comr~~ "
under rule 11

Sl 4. To the excise Comr "

D. O. forwards the above three
applications and requests to submit
his opinion on the above.

Sl. 5. From — to —

D. O. Complains in connection
with the new foreign Liquor Licen
Rules

Sl 6. To the excise Comr "

D. O. 31-8-01

Makes some observation
in ~~the~~ his D.O. and requests to pro
on the proviso.

Sl 7 From — to — 31-8-01

D. O. Replies to the above
and forwards 3 Bombay Licen
forms for perusal & return.

Indeed
Commr

M. S Krishnan

~~EXTRACT FROM THE JOURNAL OF THE~~

~~MEETING OF THE COUNCIL~~

A Resolution of Council adopted by circulation

DATED Bangalore, the 29th June 1901.

X X X

Resolved as follows:-

That the amended rules for regulating the sale of foreign liquors, as proposed by the Excise Commissioner, be approved and published so as to come into effect from the 1st of July.

Sd/- P. N. Krishna Murti
Dewan & President

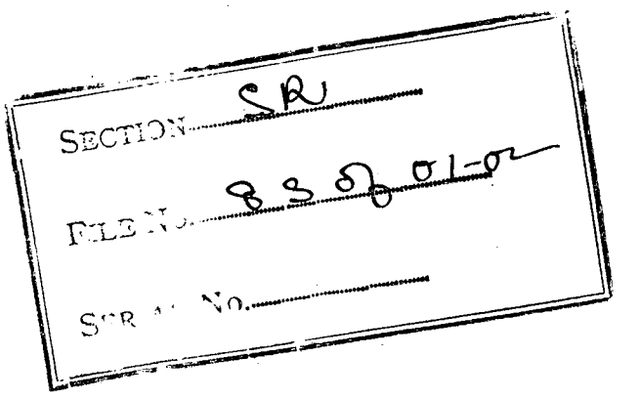
Copy to the Excise Deptt

For Secretary
1/7/1901.

Excise
Do the necessary
at once
1/7/01

Ordered
necessary orders issued to
the Excise Commr. as well as to
compilers. the press copies of
1/7/01 the Profs. also sent to press.

2



Note

From what transpired in the Council, I was under the impression (now as it turns out probably mis-taken) that the only objection raised member who required further consideration was the 3rd Councillor. In a hurry, I read the Diwan's remark in the margin of the paper of Consul Subjects as conferring my view, as it was 6 P.M. or so on Saturday when the file came to me,

I considered it necessary to issue the rules at once & did so. The Mss. copy was sent to Excise Comm= yesterday.

I submit the Council res= herewith for approval.

1/7/1901

4

Submitted

There are 3 papers for orders.

Nos I & II Complaints against the restriction placed on the sale of Foreign liquor below 15° U.P. (Rule XI of Foreign liquor Rules published under Govt notn no 10440 - R.F. 119 of 938 30.6.1901 put up). With reference to the complaints referred to in the letters of the two Companies (Messrs Wilson & Co & Mc Dowell and Co of Madras) reference is solicited to the 2nd Councillor's remark dated 19th June 1901 Sl no 36 on file) and to the D.O. letter from Mr Venkata-Ranga Iyengar dated 29th July 19

No 2 the III complains about the revised scale

of license fee as prescribed in Rule VI & the guarantee required in Rule X in which it is required that the strictest guarantee should be given to the effect that no country liquor enters into the composition of foreign liquor brands bottled in India

KG
3/8/01 Subd to Secy Ll.
3/8/01

The complaint of Messrs McDowell & Co and Messrs Wilson & Co to the effect that the restriction that no foreign liquor below 15° under proof shall be sold excludes some very well known brandies, Whiskies &c, seems to deserve consideration.

The revised scale of license fees complained of by the Proprietor of the West End Hotel was sanctioned so far back as Sep 1900. (vide Order & Notifn Dt. Nos 34).

As regards the guarantee required for foreign liquors

being bottled in India, we have not received any complaints from the bottlers, such as Spencer & Co, Oakes & Co &c

3/8/07

submitted to Ld Councillor. I think we had better take the Crs opinion again on these meat letters.

3/8/1907

Read
3. Aug. 07

I have certainly no objection to the Crs opinion being cancelled on the subject - Please send him Meat letters for favour of an early expression of opinion -

7.8.07.

Grant had the Lords a Coat - the 15 N. Pres - tuckers bill degazetted & the Crs opinion pro - posed as further explained. And by Mr Quinan's apta - tion any alteration necessary or reasonable. The enquiry may be made demi-officially -

5/8/07

5

Subd to Secty

This DD letter from the Excise Comrs relating to complaints regarding the new Foreign Liquor licence Rules is in reply to a DD sent from this Office under the orders of the 2nd Councillor.

The file is before the 2nd Councillor.

* Since received back + re-submitted.

9/8/04

To the 2nd Councillor

for orders.

It seems to me that there is a mistake in the Excise Comrs stating that Special licenses can be granted to sell foreign Spirits lower than 15 Up. as XI is general & applies also licenses under II (10).

9/8/1904

Rec'd 9 Aug. 08

I share the doubt expressed on this point. Please resubmit on receipt of papers & Counsel's opn

Sec'y.

Tell me where the file relating to the Foreign Liquor Rules. I should like to have it for my own memoranda.

7/8/07

Send at once

HWW

7/8

Submitted,

KJ 7/18/07 Read J. Asst. A.

Returned from the Treasury Albert Gower

Mr Spencer & Co saw me this morning and represented that the 15 U.S. restriction was calculated to prejudicially affect the sales of a large & very good Foreign brand, that always kept the market well supplied

6

of 4 cents a hundred than is now being asked, & obtained from Home, & that the minimum license rate of $25 00 was undoubtedly too high for hotels like the West End - I asked him to send me a written representation which on receipt would receive due consideration -

C.

9 — 8 — 07

Exd 7/9/18

Have you not yet heard from Mayor Spencer Q.C., or from Mr Brannon of the West End Hotel? Mr Gow told me when I chanced to meet him the other day that both Mr Brannon & himself had called upon the Premier (Comr as suggested by me) & promised to send him a written representation with a view of ~~[illegible]~~ brandy of not less than 15° U.P. which were in stock &

for the Disposal of

which special per-
mission was necessary
I do not know what
per cent transfer-
the Home Consumption
in the 4th previous year
Disposal - that a
"special license"
can be granted for
the sale of wines
than 15° Ref
in an unbroken
(or)
in the Public Rooms X
of which imports
a restriction attaches
mentioned hereafter
all the Licenses including
a "special license"
Licenses can be
given special Rooms
— Can under Rule
XI what about
wholesale dealers
little Shops Houses
&c? Licenses cannot
Grog from them retailers
Brandy than 15° Ref
nor can the Publicans
wants for it from them
a Landlady of a Brandy (or)
Brandy Publican the
next two or three
months - Do not
the Police

Slight modification
of Rule XI in Rankin
Revisable - (acme.)
Please observation
Please Refer Memorandum
Up a No. dated
for favor of an
early Reply on both the Points raised
by Memorandum

27/8/07

Subm. to the Honourable

The Opium Commissioners
d.o. 24/8/07 on the matter of
the foregoing Remarks is
hereunto submitted.

2/9/07

Read
2. IX. 07.

d: 31st Augt 1907

Ex 42

OFFICE OF THE DEWAN OF MYSORE
190 1447
31-7-01

From

The Proprietors,
38 West End Hotel
Bangalore

To

THE SECY. TO THE GOVT. OF MYSORE,
GEN. & REV. DEPTS.

SECTION SR

FILE NO. 8380/01 Dated 27th July 1901.

SERIAL NO. 1 Despatched

Received

General No.

No.

Enclosure No.

SERIAL NO.

FILE NO.

SECTION

Bringing to notice the high rate of license which he is called upon to pay & soliciting orders on the subject

Excn

Received 1/8/1901.

References to be marked.

MGCPB—5,000—24-7-01.

West End Hotel
Bangalore.
27th July 1901.

To
The Secretary to the
Gov[t] of Mysore.
Gen[l] Rev Dept.
Bangalore.

Sir

I am in receipt this day from the Excise Supervisor Bangalore Range, of a Copy of Gov[t] Notification No[r] 10440 R.F. No[r] 719 of 93 with the amended Rules for regulating the sale of Foreign liquors within the limits of the Mysore Province under your Government from 1st July 1901.

2. According to this Notification I find I shall have to pay Rs 60/- for my license for my Hotel, covering sales up to 500 Gallons a year, while hitherto the rate has been only Rs 25/-. The new rate is thus more than double, and is absolutely prohibitory, for I take the license not as a matter of profit but only for the convenience of Residents in my Hotel and boarding house.

3. It must be remembered that in addition to the licence fee charged by the Government I have to pay the City Municipality of Bangalore a fee of Rupees fifty (Rs 50/-) for

Registering the License, besides (8) Eight annas for the necessary stamp.

4 Under the circumstances I trust that you will be so good as to reconsider the exorbitant rates fixed under section VI clause (1) of the notification above referred to, and reduce them to old rates, otherwise I shall not renew my license and will stop obtaining liquors for Residents in my Hotel and boarding house.

5 I request the favor of your Early orders on this letter

6 I take this opportunity of pointing out that I think section X of the notification under reference regarding Brands bottled in India is likely to be a hardship to well established and long standing respectable firms, such as Messrs Spencer & Co Messrs Oakes & Co Ltd, Messrs McDowell & Co Ltd, and others, all of whom import various kinds of Foreign Spirits and foreign fermented liquors in bulk, and bottle it under their own supervision in their own premises before selling it to the Public

I have the honor to be 13

Sir,

Your most obedient Servant

Isaac Bronson

Proprietor

West End. Hotel

Sml 4

190 [illegible]

1572

2-8-01.

From

M.C. Doraiswamy

40 readers

To

THE SECY. TO THE GOVT. OF MYSORE,

GEN. & REV. DEPTS.

Dated 31st July 1901.

Despatched

Received

SECTION SR

General No.

No. FILE NO. 830201

Enclosure No. 2

Requesting whether the Dy. Comrs. Can be instructed to exempt from the operation of the new Rules, stipulating that no foreign liquor can be sold under the new licence the granted of a lower strength than 15° under-proof, certain brands of imported liquors, &c.

Recd

11

References to be marked.

MGCPB—5,000—24-7-01.

DOWELL & Co LTD
MADRAS.

Madras, 31st July 1901. 190

The Secretary to Government
General & Revenue Department,
Mysore.

Sir,

We have the honor to inform you that we have received a copy of Notification No:10440 R.F.119 of 93 dated 30th June 1901, publishing the new rules under which licenses for the sale of foreign spiritious liquor will be issued as from the 1st instant. These new rules stipulate that no foreign liquor can be sold under the new licenses to be granted of a lower strength than 15 underproof. We would invite your attention to the fact that in fixing the strength at so high a figure as 15 underproof some of the best brands of Brandy, Whisky, and Gin will be excluded from the sale in the Province of Mysore. We think in introducing the altered rules no regard has been had to the actual strength of those brands which for years past have been sold throughout Southern India and with the sale of which there appears no reason to interfere.

As a case in point we would invite your attention to the fact that no English Gin or Dutch Holland are ever imported of so high a strength as 15 underproof and the result of the new rules will therefore be that nobody residing in the Province of Mysore will be able to pur-

-chase

15

Mc DOWELL & Co LTD
MADRAS.

Madras, 2. 190

purchase locally any English or Dutch Gin. This is only a case in point and we can give further instances to show not only that no case has been made out for the prohibition of the sale of a variety of brands of imported liquors but also that the rules will work a hardship on those who are accustomed to a particular brand as well as on those whose legitimate trade is abruptly interfered with.

We have the honor to enquire therefore whether you will be prepared to instruct the Deputy Commissioner to exempt from the operation of the rules certain brands a list of which we are prepared to send for approval.

We have the honor to be,

Sir,

Your most obedt: Servants
for McDOWELL & Co., LD.,

Managing Director.

OFFICE OF THE 1901

1536

2-8-01.

From Lr. 43

Secy. H. Wilson &c.,

39 Madras.

To

THE SECY. TO THE GOVT. OF MYSORE,
GEN. & REV. DEPTS.

Dated 30th July
2nd Augt. '01

Despatched

Received

SECTION S R I

General No.

No.

FILE No. 830601

Enclosure No. 3

SERIAL NO.

Referring to a Notification issued recently, stating that no Foreign Spirits below 15° under-proof, will be allowed to be sold under any of the Licenses granted under Rule II.

I

References to be marked.

MGCPB—5,000—24-7-01.

Madras, 30th July 1901.

From

Messrs. Wilson & Co.,

Madras.

To

M. R. Ry. K. V. Ranginadaya.
Sec.y to Govt. Gen. Rev. Dept.
Bangalore.

Sir,

We have the honor to refer to Notification No. 1040 R. S. 119-93 dated 30th June 1901, regarding which it appears that no foreign Spirits below 15° under proof will be allowed to be sold under any of the Licenses granted under Rule II. Naturally such a restriction excludes very many Brands of Spirits, which we may state is in numerous instances perfectly justifiable, and we are glad that such prohibitions have been come about. However, there are many kinds of Whiskies, Brandies, Gins, etcetera now imported largely, which are just a few degrees below the standard, and under the new ruling are prohibited, and a complete stop to business is the result. We have an instance where we have imported for many years Coates & Co's Plymouth GIN 20.58 u.p. - a celebrated world standard Spirit. Are we right in presuming that its sale is now barred, for we do not observe any mention of English Gin in the schedule? Similarly may not Dutch Genevas below 15° u.p. be sold.

We have the honor to be,
Sir,
Your most obedient servants.
Wilson & Co

6th August 1901
Bangalore

41

SECTION S.R.
FILE NO. 8306/01

* to be obligingly returned No. 4

My dear sir

I am desired to send you in original the letters ~~forwarded send you two letters~~ received ~~margin these letters~~ from the marginally noted firms complaining against (1) the restriction that no foreign liquor below 15° U.P. shall be allowed to be sold, (2) the enhancement of license fees &c, ~~fee~~ prescribed ~~under~~ in the revised foreign liquor rules published under Govt notification no 10440-R7/1698/938 30th June 1901, and to request the favour of an early expression of your opinion on the points therein raised

Government had its doubts about the 15° U.P restriction, but it deferred to your proposal as

1 Letter dt 30.7.1901 from Messrs H Wilson & Co, Madras

2 Do dt 31.7.1901 from Messrs McDowell & Co, Madras

3. Do - 27.7.1901 from the proprietor, West End Hotel, Bangalore

further explained to the
2nd Councillor in charge of
the portfolio by your Assistant.
I am now to enquire whether
any alteration in the rules
is necessary or reasonable.

Yours sincerely

P. N. Purnaiya Esq
Ba.
Excise Commr.
in Mysore.

and so I am not in a position to supplement any explanation to what was already rendered by my Assistant, which evidently has not removed all doubts. But with reference to your immediate enquiry I beg to state that no alteration in the Rules is called for, as they have been framed to meet all such cases as have now cropped up.

The subject is one of some intricacy; but at the same time is one of great importance. I will therefore only indicate the more important points that deserve to be borne in mind and considered with this subject. I shall be glad to wait upon the Councillor's leisure at his convenience, should he require fuller information than what can only be briefly given in this letter.

In the first place, free trade principles cannot be applied to liquor traffic. Then again it is an openly recognised policy even in British India that as revenue from country Spirits is the principal Staple revenue under Indian Excise, competition with moneopolist farmers of country Spirits, by foreign liquor vendors, should be prevented, as far as possible. We have not innovated the restriction without precident. It is to this day in force in all the districts of the Bombay Presidency.

We may well therefore pause to consider, whether we should atonce rush to change the rule so deliberately made, with the first complaint of firms like Mc Dowell & Company, without examining, whether their complaints are well grounded & reasonable, or not. In the experience of the Department, the information which has reached it, is scarcely of a favorable kind to Messrs Mc Dowell & Company. They are the greatest delinquents, who work loss to Government, not very fairly to it. They chiefly are responsible for the flooding of the market with

with cheap German Spirits, importing them in wood, and bottling them locally and facilitating their sale largely, to the prejudice of revenue from Country Spirits. Even in the city of Bombay, it is only a few selected shops that are permitted to sell high class foreign liquor - bottled in Europe, & of Safely high prices, for consumption, on the premises, by sale to respectable Europeans and natives. A free unrestricted sale, in ordinary foreign liquor shops, such as we have, and which, are owned by native Proprietors, of no higher status than of our Common Arrack vendors, can on no account be permitted; for they only serve the lower classes of Eurasians and natives. Even Wilson & Company in their letter under reference observe that "such a restriction excludes very many brands of Spirits which" they "state is in numerous instances perfectly justifiable" and they "are glad that such

42

Bangalore
8th August 1901.

SECTION — SR
83080

My dear Sir.

I have duly received your D.O of the 6th instant enclosing representations made to the Secretary in regard to the recent notification regulating the sale of foreign liquors, from the Proprietor, West End Hotel Bangalore, & from Messrs McDowell & Company Limited & Wilson & Company, Madras.

You observe in para 2 of your note that Government had its doubts about the 15° under proof restriction; but that it deferred to my proposal as further explained by my Personal Assistant, to the Councillor in charge of the portfolio; & you now enquire whether any alteration in the rules is now necessary or reasonable. You do not tell me what the doubts were; and

such prohibitions have come about". The question is, where the limit of the prohibition, should be drawn. It is a mistake, or at all events, it is not correct to suppose, that the standard of Arrack at 20° U.P., has any bearing upon the standard of the prohibition on foreign liquors. In the very city of Bangalore, several cases have been discovered occasionally, where foreign liquor was weaker than 20°, weak as 30°, down even to 40° worse still, sinking to 45° U.P. and the very instances quoted by Wilson & Company give a lesser strength than 20° viz 20·58. So therefore, it will not satisfy these petitioners, to adopt 20° in place of 15°, and in adopting any prohibition at all, it is safest as has been done now by us, to follow some British Province; and Bombay is no unsafe example. The British

British Provinces & import duties on these liquors at Tariff rates at 8 per cent ad valorem and in spite of this direct source of revenue which may make them indifferent to it as a source of revenue being on local or foreign Spirits, still the British Provinces have adopted a protectionist policy in favor of revenue from Country Spirits. How much more should Mysore be watchful in protecting its revenue from Country Spirits from competition of foreign Spirits which now is becoming more and more keen & widespread? We are in no way too early.

The main point, in fact the only point for consideration is if the European or even the respectable native who is accustomed to a high class foreign Spirit which may happen to be lower than 15° Whether our provision at present provides so

special demands. The greatest thing to be guarded against is the inroad upon low class natives who should resort to arrack and to whom arrack, judged from advices from all sides, is a more wholesome drink than the cheap stuffs thrust upon the market, through common vendors by firms like Mc Dowell & Company dealing largely in cheap liquors of questionable quality but ostensibly of foreign make.

The only other point needing reply is about the rate of license fee. The license fee was not raised by these revised rules. The increased rate of Rupees sixty has been in force since the last year & it has been prescribed in view to get the proper Share of revenue to the Mysore State. In the Madras Presidency the licensees of foreign liquor shops have not only to pay the prescribed duty to British Government but also the license fees as for example:-

	1st class	2nd class
Hotel licensees at Madras.	100 -	75
do — Niligiris	100 -	50

In Bombay Minimum Rs 400/-
In the mofussil maximum Rs 500/
no minimum.

I return the enclosures of your D.O. I trust that the position taken up will be firmly maintained as in the words of Mc Dowell & Co "no case is made out by them", and we have provided Special licenses to which they may be referred. Our arrack revenue should not be allowed to be threatened; and there is no reason to be concerned at these complaints which are unreasonable in as much as they are put forth to back up the ordinary vendors who are their

their chief assistant Sellers. If we had not provision to meet the exceptional cases they wish to put forth, then there was cause for reconsideration of the rules: but at present the cases coming forward can be dealt with & should be dealt with on their own merits.

Yours Sincerely.

S. M. Burridge

L. Anantaraman Rao for DSO

Deputy Secy

so as to enable such a customer to obtain his supply. This class ——— of men don't go to ordinary foreign liquor shops such as we have in the Districts. These ordinary foreign liquor shops must cease to sell cheap foreign liquors of indeterminate strengths to the detriment of our arrack revenue; and 15° U.P. is of the proper strength and should on no account be altered for general purposes. Lower than that the difference would not be sufficient to safeguard arrack. We have a provision to issue special licenses. See para 10 of Rule II of Notification in question. For instance the West End Hotel man should obtain a special license under Rule II for his European or other constituents. Similarly when a real case is made out a special license may be issued to some well-selected respectable Ship-keeper every way reliable to meet such rare or special

D.O.

Received 2/9/01

70

SECTION SR
FILE No. 83001
SERIAL No. 6

Bangalore
31st August 1901.

My dear Sir,

Please see your D.O. letter to me dated 8th instant, regarding certain complaints in connection with the new Foreign liquor license Rules. I am directed to enquire whether Mr. Albert Gow of the firm of Messrs. Spencer & Co. and Mr. Bronson of the West End Hotel, Bangalore, have sent to you a written representation on the subject, together with a list of brands of weaker strength than 15° under proof which are in stock and for the disposal of which special permission is necessary. - That a "special licence" can be granted for the sale of brands of weaker strength than 15° under proof is an opinion opposed to the Rules, para XI of which imposes a restriction applicable to all the licenses mentioned in

Rule II including a "special license". - Licensees can be given special permission under Rule XI, but what about whole-sale dealers like Messrs. Spencer & Co? - Licensees cannot buy from them weaker brands than 15° under proof, nor can the suppliers write for and get from Home a supply of stronger brands within the next two or three months. To meet this difficulty, a slight modification of Rule XI is perhaps desirable.

I am to convey these observations to you and to request the favor of an early reply on both the points at issue

I remain
Yours sincerely

Draft

31/3/11

To N. Ramaiya Esq
Excise Asst. in Mysore

22

SECTION SR

FILE NO. 830601

SERIAL NO. 7

31st August 1901.

My dear Sir,

No written representation appears to have been received from either Mr Gow of Spencer & Co or from Mr Branson from enquiries made in office. These are not wholesale license holders of foreign liquors in Mysore Province nor are Messrs Mc Dowell & Co, Wilson & Co, Cutler Palmer nor any other firm in Madras or Bombay from whom supplies are obtained by licensees in Mysore. Should we propose to create possibility for firms like Messrs Mc Dowell & Co and Spencer & Co and others of that class to exhaust their stock of liquors under 15° 26·P, we are neither in a position to verify their stock, as none of them are in our jurisdiction, nor can we do it without entirely defeating the objects of fixing the Standard of strength at 15° 26·P for

for general sale purposes.

What I mean by referring to the special is, that it is, and should be serviceable exception to meet exceptional cases of sa special liquors not adopted for general sale special conditions, terms etc. It is perhaps hei to clear this up by notifying that para 10 of rule II should be numbered as a separate rule, or by inserting in rule XI the words "except special licensees" after the words licensees in line 2. This need only be done to meet very exceptional cases which as a rule should not be allowed. I enclose 3 Bombay license forms for perusal & return.

Yours Sincerely,

M Murray Jr

L. Arunachalam Esq

23

[R. L. 39. e.

No. 13.

[FORM SANCTIONED IN GOVERNMENT RESOLUTIONS No. 3948 OF 16TH MAY 1885 AND No. 3275, DATED 3RD MAY 1889, REVENUE DEPARTMENT.]

[For all districts of Bombay Presidency, except the Town and Island of Bombay.

License for Sale of Foreign Wines and Fermented Liquors, and of Spirit of Foreign and of Indian manufacture being not less in strength than 15° U. P., not to be drunk on the premises.

License is hereby granted to

of

(hereinafter called the licensee), authorising him, under and subject to the provisions of the Bombay Abkári Act, 1878, to sell in his shop situated at

for the period of one year, *viz.*, from the 1st August 19 to the 31st July 19 , both days inclusive, on payment of a fee of Rupees the following liquors, namely:

(*a*) foreign wines,
(*b*) fermented liquors,
(*c*) foreign spirits not less in strength than 15° U. P.

} which have been imported by sea;

(*d*) spirits of Indian manufacture not less in strength than 15° U. P., on which excise-duty has been paid at the rate of import duty leviable under the Indian Tariff Act at the time in force on foreign spirit, such as brandy and whiskey;

(*e*) malt liquors manufactured at the Brewery at Poona.

This license is granted subject to the following conditions, *viz.*:—

1. The licensee shall not have in his shop above prescribed, or sell, liquor whether of foreign or Indian manufacture, of any kind or of any strength which he is not authorized to sell by this license. The strength of spirit shall, for the purposes of this license, be tested by a Sikes' hydrometer alone.

2. The licensee shall not sell, keep, or store wines or spirits or fermented liquors in any place except in his shop above described, nor shall he sell or have in his said shop adulterated or spurious liquor of any kind.

3. The licensee shall reside in his said shop, and shall personally carry on the business thereof. If the licensee shall wish to absent himself from the said shop at any time, or to appoint any other person to officiate for him in carrying on the business of the said shop, he shall first obtain the sanction of the Collector in writing endorsed on the back of this license and pay an additional fee of Rs. 5. The licensee shall be responsible for the acts of every person so appointed to officiate for him in carrying on the business of the said shop and of all his servants.

4. The licensee shall not sell any wine, spirit, or fermented liquor after * o'clock P.M. or before 6 o'clock A.M. nor shall he sell or give at any time any wine, spirit or fermented liquor, to, or for the use of, any private of the British or of the Native Army.

* Evening gun-fire in military cantonments, elsewhere 9 o'clock P.M

[O. 1355—1,000-12-99]

5. The licensee shall not allow any wine, spirit, or fermented liquor sold in his shop to be drunk therein, or on any premises connected therewith that may be in his occupation or under his control, nor shall he sell any wine, spirit, or fermented liquor except in full corked quart or pint bottles sealed or capsuled, or in full jars or casks of capacity not less than one gallon each.

Nothing contained in this clause shall prevent the sale for consumption in the licensee's shop of wines and spirit in quantities less than a full pint bottle to respectable Europeans and Natives visiting the said shop and requiring slight refreshment, or wishing to taste samples of liquors kept on sale there.

6. Each jar, cask and bottle containing spirit of Indian manufacture, kept on sale by the licensee or in the licensee's shop, shall be conspicuously labelled or branded with the words "Spirit manufactured in India."

7. The licensee shall affix to the front of his shop a sign-board inscribed with the name of the licensee and the words "licensed to sell foreign wines and "fermented liquors, and foreign spirit and spirit of Indian manufacture being in " strength not less than 15° U. P., not to be drunk on the premises."

8. The licensee shall keep in his said shop and furnish to the Collector on demand true accounts of the descriptions, strengths and quantities of liquor received into and sold at his said shop. The accounts shall be plainly and correctly written up to date daily in a bound book, paged and sealed with the Collector's seal, and shall at all times be open to inspection by the Collector, the A'bkári Inspector, or any officer deputed by the Collector or the said Inspector to inspect the same.

9. The licensee shall always keep in his shop an accurate and complete Sikes' hydrometer, complete with thermometer, trial glass, and book of tables, of such pattern as shall be prescribed by the Commissioner of A'bkári, and shall produce the same, and shall allow any liquor in his shop to be tested with the same, whenever so required, by any customer or by any officer of the Revenue, A'bkári, or Police Departments in rank above a haváldár.

10. The licensee's shop and all liquors therein contained shall at all times be open to inspection by the Collector, the local Police and A'bkári Inspectors, or by any officer deputed by the Collector, or by any such Inspector, to inspect the same.

Granted this day of 19

Seal of the Collector.

Collector.

25

[R. L. 40. *e*.

No. 14.

[FORM SANCTIONED IN GOVERNMENT RESOLUTIONS No. 3948, DATED THE 16TH MAY 1885, No. 269, DATED THE 12TH JANUARY 1889, AND No. 9080, DATED THE 6TH NOVEMBER 1894, REVENUE DEPARTMENT.]

For all districts of the Bombay Presidency, except the Town and Island of Bombay.

License for Sale of Liquor at Hotels, Refreshment Rooms (other than those at Railway Stations), and Travellers' Bungalows.

License is hereby granted to

of

(hereinafter called the licensee), authorizing him, under and subject to the provisions of the Bombay A'bkári Act, 1878, on payment of a fee of Rs. to sell at his situated at from the day of 189 , to the day of 189 , both days inclusive, the following liquors, namely:—

(*a*) foreign wines,
(*b*) fermented liquors,
(*c*) foreign spirits not less in strength than 15° U. P.

} which have been imported by sea;

(*d*) spirit of Indian manufacture not less in strength than 15° U. P., on which excise-duty has been paid at the rate of import duty leviable under the Indian Tariff Act at the time in force on foreign spirit, such as brandy and whisky;

(*e*) malt liquor manufactured at the Brewery at Poona.

This license is granted subject to the following conditions, *viz.*:—

1. The licensee shall reside in the said and in person carry on the business of the same. If the licensee shall wish to absent himself from the said or to appoint any other person to officiate for him in conducting the business thereof, he shall first obtain the permission of the Collector endorsed on the back of this license, and pay an additional fee of Rs. (5) five. The licensee shall be responsible for the acts of every person so appointed and of all his servants.

2. The licensee shall not keep or sell toddy or foreign liquor or liquor of Indian manufacture of any kind or of any strength which he is not authorized to sell by this license. The strength of spirit shall, for the purposes of this license, be tested by a Sikes' hydrometer alone.

3. The licensee shall not sell or have in his adulterated or spurious liquor of any kind. He shall always keep in his an accurate Sikes' hydrometer, complete with thermometer trial glass and book of tables, of such pattern as shall be prescribed by the Commissioner of A'bkári and shall produce the same, and allow any liquor in his to be tested therewith, whenever so required by any customer, or by any officer of the Revenue, A'bkári, or Police Departments, above the rank of havaldar.

4. The licensee's and all liquors therein contained shall at all times be open to inspection by the Collector, by the local Police and A'bkári Inspectors, and by any officer deputed by the Collector or by the Inspectors aforesaid to inspect the same.

5. Every bottle, jar and cask containing spirit of Indian manufacture received into or kept on sale in the licensee's shall be conspicuously labelled or branded with the words "Spirit manufactured in India."

6. The licensee shall keep in his said and furnish to the Collector on demand true accounts of the descriptions, strength and quantities of liquors received into and sold at his . The accounts shall be plainly and correctly written up to date daily in a bound book, paged and sealed with the Collector's seal and shall at all times be open to inspection by the Collector, the A'bkári Inspector, or any officer deputed by the Collector or the said Inspector to inspect the same.

7. The licensee shall not permit drunkenness or gambling in his nor shall he allow disorderly persons of either sex to remain therein.

8. The licensee shall give immediate information to the nearest Police officer of any suspected person who may resort to his and of every irregularity committed thereat tending to disturb the public peace.

9. The Police shall at all times have free access to all parts of the licensee's for police purposes.

10. The licensee shall not sell or give spirituous or fermented liquor to any private of the British or Native Army.

11. The licensee of a hotel shall not sell liquor to any one who is not a resident at his hotel; and no licensee shall sell more than one gallon of liquor of any kind to any one person in any one day.

Granted this day of 189 .

Collector.

Seal of the Collector.

No. 14 A.

[FORM SANCTIONED IN GOVERNMENT RESOLUTION No. 3948, DATED THE 16TH MAY 1885, AND GOVERNMENT RESOLUTION No. 6316, DATED THE 19TH SEPTEMBER 1887, REVENUE DEPARTMENT.]

For all districts of the Bombay Presidency, except the Town and Island of Bombay.

License for Sale of Liquor at Refreshment Rooms on Railways.

License is hereby granted to

of

(hereinafter called the licensee), authorizing him, under and subject to the provisions of the Bombay Abkari Act, 1878, on payment of a fee of Rs. to sell at his Refreshment Room situated at from the day of 189 , to the day of 189 , both days inclusive, the following liquors, namely :—

(*a*) foreign wines,
(*b*) fermented liquors,
(*c*) foreign spirits not less in strength than 15° U. P.

} which have been imported by sea;

(*d*) spirit of Indian manufacture not less in strength than 15° U. P., on which excise-duty has been paid at the rate of import duty leviable under the Indian Tariff Act at the time in force on foreign spirit, such as brandy and whisky;

(*e*) malt liquor manufactured at the Brewery at Poona.

This license is granted subject to the following conditions, *viz.* :—

1. The licensee shall reside in the said Refreshment Room, and in person carry on the business of the same. If the licensee shall wish to absent himself from the said Refreshment Room, or to appoint any other person to officiate for him in conducting the business thereof, he shall first obtain the permission of the Collector endorsed on the back of this license, and pay an additional fee of Rs. (5) five. The licensee shall be responsible for the acts of every person so appointed to officiate for him in conducting the business of the said and of all his servants.

2. The licensee shall not keep or sell toddy or foreign liquor or liquor of Indian manufacture of any kind or of any strength which he is not authorized to sell by this license. The strength of spirit shall, for the purposes of this license, be tested by a Sikes' hydrometer alone.

3. The licensee shall not sell or have in his Refreshment Room, adulterated or spurious liquor of any kind. He shall always keep in his Refreshment Room an accurate Sikes' hydrometer, complete with thermometer, trial glass and book of tables, of such pattern as shall be prescribed by the Commissioner of Abkari, and shall produce the same, and allow any liquor in his Refreshment Room to be tested therewith, whenever so required by any customer, or by any officer of the Revenue, Abkari, or Police Departments, above the rank of havaldar.

4. The licensee's Refreshment Room and all liquors therein contained shall at all times be open to inspection by the Collector, by the local Police and Abkari Inspectors, and by any officer deputed by the Collector or by the Inspectors aforesaid to inspect the same.

5 Every bottle, jar and cask containing spirit of Indian manufacture received into or kept on sale in the licensee's Refreshment Room, shall be conspicuously labelled or branded with the words "Spirit manufactured in India."

6. The licensee shall keep in his said Refreshment Room and furnish to the Collector on demand true accounts of the descriptions, strength and quantities of liquors received into and sold at his Refreshment Room. The accounts shall be plainly and correctly written up to date daily in a bound book, paged and sealed with the Collector's seal, and shall at all times be open to inspection by the Collector, the Abkari Inspector, or any officer deputed by the Collector or the said Inspector to inspect the same.

7. The licensee shall not permit drunkenness or gambling in his Refreshment Room, nor shall he allow disorderly persons of either sex to remain therein.

8. The licensee shall give immediate information to the nearest Police officer of any suspected person who may resort to his Refreshment Room, and of every irregularity committed thereat tending to disturb the public peace.

9. The Police shall at all times have free access to all parts of the licensee's Refreshment Room for police purposes.

10. The licensee shall not sell or give spirituous liquor to any troops, British or Native, or their families, but may sell fermented liquor to troops travelling by rail under the following conditions:—

When under the command of an officer,	according to the officer's written order.
When travelling alone or in small parties of twenty and under, not under the command of an officer,	one pint of beer per man and woman, provided they are sober.

11. The licensee shall not sell more than one gallon of liquor of any kind to any one person in any one day.

Granted this day of 189 ..

Collector.

Seal of the Collector.

SECTION S R

File 8300/8

Read report of proceedings of Govt No 10430 - 9 - R 119 - 93 dated 30th June 07 publishing a Notification No 10410 - R - R 119 of 93 of the same date containing revised rules for regulating the sale of Foreign Liquors from 4th July 07.

Read

(1) Letter dated 30th July 07 from Super Wilson & a Madras Cancellation of the Exemption of Rule XI.

(2) Letter dated 31st July 07 from Super McDowell & to the same effect.

(3) Letter dated 27th July 07 from Mr Bronson, proprietor, Westend Hotel, Bangalore, cancelling recommendation to the above, that the rules framed for in Rule VI are unduly high.

(4) Correspondence on the subject between Govt & the Excise Comr re Imported Orders

Not in accordance with the Excise powers Suggestion & is intended to give effect to what was meant but not correctly expressed when the Rules were framed. Please submit a Notification for orders before issue

C

3/9/07

Office

Prepare draft & issue please

3/9

Draft Notifn submitted 3/9/07

& Drawn for approval.

4/9/1907

1862

RD 4.14.01

18th approved

5.14.01

Issue

9/9

10/9/07

4473-05

R.F. 119. 93 of 11/9/1907

Order.

Candidates shall
not be [illegible] 15 [illegible] years
provided for in Rule
XI if prefect reasonable
and can only be
relaxed under very
exceptional circum-
stances - such a
relaxation (when made) in rare cases
under contemplation
when the grant of
special licenses
provided for in Rule
II. To avoid all mis-
understanding however
it is declared that the words
"such special licenses"
be inserted after
the word "licenses" in
the 2nd line of
Rule XI - Notification will be
issued accordingly.
2. Candidates not (com-
pleting) under the license fees
sanctioned in Notification
No 10440 of 30th June 1904,
R.F. 119/93
referred to in Rule
VI of the Rules ~~framed~~
~~shall~~ under advertisement -

(Here ends notification No. 5 -)

Secy.

To The Accountant
The Asst Collector
" Excise Department
" Treasury
The Govt Servants of this Dist
Comptroller, Accounts

4486 20th
R.F. 119. 93. 2/11/1901.
Notification

46

SECTION GR I
FILE NO. 830/01
SERIAL NO. 9

In exercise of the powers conferred by Section 55 of the Excise Act XXII of 1881 as amended by Act VI of 1885 and extended to Mysore by Regulation III of 1885, the Government of Mysore are pleased to make the following amendments in the revised Foreign liquor Rules published under Government notification no 10440 — R.F. 119 of 93 dated 30th June 1901:—

1897 approved 5.IX.01

In lines 2 and 4 of Rule XI insert the the words "except special licenses" after the words "licenses".

The rule as amended will be as follows:—

Rule XI. "no foreign

spirits below 15° ~~O.P.~~ under proof
will be allowed to be sold
under any of the licenses,
except special licenses
granted under Rule II.
The District Deputy Commissioner
may, however, allow the
licensees to dispose of
any spirits below 15° under proof,
which may remain in stock
after these Rules come
to force, but shall admit
no such spirits into licenses
except special licenses,
issued from and after
the 1st July 1901."

"B—O."

3/9/01

Secretary.

To

The Compiler, Mysore Gazette
for publication in 3 successive
issues of the Gazette.

32

READ AGAIN—

Proceedings of Government No. 10430-9—R. F. 119-93, dated 30th June 1901, publishing a Notification No. 10440—R. F. 119 of 93, of the same date, containing revised rules for regulating the sale of Foreign Liquors from and after the 1st July 1901.

READ—

Letter, dated the 30th July 1901, from Messrs. Wilson & Co., Madras, complaining of the stringency of Rule XI.

(2) Letter, dated 31st July 1901, from Messrs. McDowell & Co., to the same effect.

(3) Letter, dated 27th July 1901, from Mr. Bronson, Proprietor, West End Hotel, Bangalore, complaining, in addition to the above, that the rates provided for in Rule VI, are unduly high.

(4) Correspondence on the subject between Government and the Excise Commissioner in Mysore.

No. 4473-85—R. F. 119-93, DATED BANGALORE, 11TH SEPTEMBER 1901.

ORDER THEREON—Government observe that the 15° under-proof restriction provided for in Rule XI is prefectly reasonable and can only be relaxed under very exceptional circumstances. Such a relaxation in rare cases was indeed under contemplation when the grant of special licenses was provided for in Rule II. To avoid all misapprehension, however, Government are pleased to direct that the words "except special licenses" be inserted after the word "licenses" in the 2nd and 4th lines of Rule XI. A Notification will be issued accordingly.

2. Government are not prepared to re-consider the scale of license fees sanctioned in Notification No. 10440—R. F. 119-93, dated 30th June 1901, and referred to in Rule VI of the Rules under advertence.

H. V. NANJUNDAYYA,
Secy. to Govt., Gen. & Rev. Depts.

To—The Excise Commissioner in Mysore.
The Deputy Commissioners of Districts.
The Comptroller to the Government of Mysore.
Messrs. Wilson & Co.
Messrs. McDowell & Co.
Mr. Bronson.

NOTIFICATION.

No. 4486—R. F. 119-93, dated 11th September 1901.

In exercise of the powers conferred by Section 55 of the Excise Act XXII of 1881, as amended by Act VI of 1885, and extended to Mysore by Regulation III of 1885, the Government of Mysore are pleased to make the following amendments in the revised Foreign Liquor Rules published under Government Notification No. 10440—R. F. 119-93, dated 30th June 1901 :—

In lines 2 and 4 of Rule XI insert the words "except special licenses" after the words "licenses."

The rule as amended will be as follows :—

Rule XI. "No foreign spirits below 15° under-proof will be allowed to be sold under any of the licenses, except special licenses granted under Rule II. The District Deputy Commissioner may, however, allow the licensees to dispose of any spirits below 15° under-proof which may remain in stock after these Rules come to force, but shall admit no such spirits into licenses except special licenses issued from and after the 1st July 1901.

By Order,

H. V. NANJUNDAYYA,
Secy. to Govt., Gen. & Rev. Depts.

Exd.—H.A.R.

1901-1902

GOVERNMENT OF MYSORE

EXCISE

PROCEEDINGS

Dated 11th September 1901

No. 4473-85
R. F. 119-93

Directing certain amendments to Rule XI of the Foreign Liquor Rules published under Notification No. 10440—R. F. 119-93, dated 30th June 1901.

SBP—17-9-1901—300